

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT5-17-A. Civil Judicial Enforcement Actions, Including Collection Actions
(1200 TN 350 5-17-A)1. **AUTHORITY.**

- a. To request the attorney general to appear and represent the agency in any civil enforcement actions, including actions to collect unpaid penalties, and to intervene in any civil enforcement actions instituted under the Federal Insecticide, Fungicide and Rodenticide Act.
- b. To request the AG to decline to prosecute a previously referred civil enforcement action or cease prosecution of a previously filed civil judicial action.

2. **TO WHOM REDELEGATED.** Director, Enforcement and Compliance Assurance Division.3. **LIMITATIONS.**

- a. Any official exercising this authority must obtain the advance concurrence of the regional counsel or designee on the legal sufficiency of the action. The RC may waive concurrence in writing.
- b. Any official exercising this authority must notify the assistant administrator for the Office of Enforcement and Compliance Assurance or designee when exercising the authority in 1.a and prior to exercising the authorities in 1.b. The AA for OECA may waive the requirement for notification in writing.

4. **REDELEGATION AUTHORITY.**

- a. These authorities may be redelegated to the branch chief level, or equivalent, and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

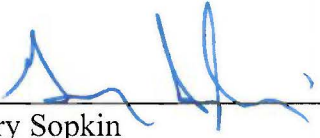
5. **ADDITIONAL REFERENCES.**

- a. Memorandum of Understanding between the agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
- b. Section 16(c) of FIFRA.
- c. See the Chapter 5 delegation entitled "Emergency Temporary Restraining Orders"

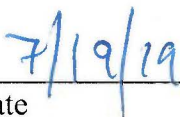
FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

5-17-A. Civil Judicial Enforcement Actions, Including Collection Actions
(1200 TN 350 5-17-A)

for RAs' authority to make direct referrals of request for emergency FIFRA
Temporary Restraining Orders.



Gregory Sopkin
Regional Administrator



Date